

Throughout this section, the reference to "crime" is substituted for the former reference to "offense" to conform to the terminology used throughout this article.

Subsection (a)(1) of this section is revised to repeat the provisions of § 2-202(c) of this subtitle for clarity and to eliminate the former cross-reference to "subsection (c) of ... [Art. 27, § 594B]". Similarly, subsection (b)(1) of this section is revised to repeat the provisions of § 2-203 of this subtitle for clarity and to eliminate the former cross-reference to "subsection (e) of ... [Art. 27, § 594B]".

In subsection (b)(2)(x) of this section, the reference to "abetting" a violation is substituted for the former reference to "counseling or procuring" a violation, for clarity.

Also in subsection (b)(2)(x) of this section, the former reference to a violation of "8A" of former Article 27 is deleted as erroneous. There was no Art. 27, § 8A. The reference to Art. 27, § 8(a), which concerns malicious burning, is made in subsection (b)(2)(ii) of this section.

Defined term: "Person" § 1-101

### SUBTITLE 3. FRESH PURSUIT.

#### PART I. FRESH PURSUIT IN-STATE.

#### 2-301. ELEMENTS AND CONDITIONS OF FRESH PURSUIT; AUTHORITY OF OFFICERS.

##### (A) SCOPE OF SECTION.

THIS SECTION APPLIES TO A LAW ENFORCEMENT OFFICER OF A JURISDICTION IN THE STATE WHO ENGAGES IN FRESH PURSUIT OF A PERSON IN THE STATE.

##### (B) ELEMENTS OF FRESH PURSUIT.

(1) FRESH PURSUIT IS PURSUIT THAT IS CONTINUOUS AND WITHOUT UNREASONABLE DELAY.

(2) FRESH PURSUIT NEED NOT BE INSTANT PURSUIT.

(3) IN DETERMINING WHETHER THE PURSUIT MEETS THE ELEMENTS OF FRESH PURSUIT, A COURT SHALL APPLY THE REQUIREMENTS OF THE COMMON LAW DEFINITION OF FRESH PURSUIT THAT RELATES TO THESE ELEMENTS.

##### (C) CONDITIONS FOR FRESH PURSUIT.

A LAW ENFORCEMENT OFFICER MAY ENGAGE IN FRESH PURSUIT OF A PERSON WHO:

(1) HAS COMMITTED OR IS REASONABLY BELIEVED BY THE LAW ENFORCEMENT OFFICER TO HAVE COMMITTED A FELONY IN THE JURISDICTION IN WHICH THE LAW ENFORCEMENT OFFICER HAS THE POWER OF ARREST; OR